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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

XMISSION, L.C., a Utah company,

Plaintiff,

vs.

CONSUMERTRACK, INC., a California
company, and DOES 1-5,

Defendants.

**NOTICE OF DISMISSAL OF
COMPLAINT WITHOUT PREJUDICE**

Case No.: 2:17cv00057 TS

Judge Ted Stewart

COMES NOW Plaintiff XMission, L.C. ("XMission"), and submits this Notice of Dismissal of its Complaint [ECF 2] Without Prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). Plaintiff filed its Complaint on January 20, 2017. The Defendant has not yet been served with the Complaint and has not served any answer or motion for summary judgment. The parties have elected to pursue alternative dispute resolution and this lawsuit is no longer necessary at this time.

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DATED this 24th day of January, 2017.

DURHAM JONES & PINEGAR, P.C.

/s/ Jordan K. Cameron

Jordan K. Cameron

Attorneys for Plaintiff